DEPARTMENT OF BENEFIT PAYMENTS

April 12, 1974

ALL-COUNTY LETTER NO. 74-61

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: RESPONSIBLE RELATIVE PROGRAM

REFERENCE: EAS Manual Section 46-410

The purpose of this letter is to highlight recent changes in the provisions
of the responsible relative's program, and to provide answers to those questions
which have been received in order to facilitate county administration of the
program.

A. Amendments to Regulations

The complete copy of the new Division 46 transmitted to the counties
in All County Letter 74-26 contains four amendments to those responsible
relative regulations which were transmitted on January 3. The following
regulations were revised to clarify the intent of the section:

1. 46-410

2. 46-414.62

3. 46-416.41

4. 46-416.142

B. Questions and the Answers

1. Question - Does a responsible relative with a past due liability
incurred prior to 1/1/74 still retain this debt if he has now been
assessed at zero liability?

Answer - Yes. However, this debt is forgiven as long as the
responsible relative continues to meet any current liability.
In this case, the county would retain the records to ensure that
if the recipient's grant or the relative's income fluctuates,

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the assessment may be altered to a dollar amount. If the responsible relative does become liable at a later date, the pre January 1, 1974, debt would become collectible if the new liability is not met on a current basis.

2. Question - What are the time constraints used in determining when a relative's payment is on a current basis?

   Answer - A relative's payment is considered paid on a current basis if received by the county within 30 days of the date of billing.

3. Question - Are judgments against responsible relatives for liabilities incurred prior to January 1, 1974, enforceable if the relative begins and continues to make full liability payments subsequent to January 1, 1974?

   Answer - No. AB 134 specifically precludes collection of past debts under those circumstances.

4. Question - May a responsible relative claim an ex-spouse as a dependent for purposes of assessing his liability under the contribution scale?

   Answer - Yes, an ex-spouse may be claimed if it can be shown to the county's satisfaction that the ex-spouse is dependent upon the alimony received from the responsible relative.

5. Question - How will the county determine the portion of the $20 income exemption which they are required to remit to the recipient?

   Answer - The SDX management information tape will show the gross income of the recipient. If this amount is $20 or more, the recipient will have received the $20 general income exemption and is not eligible for a remittance. If the gross income is less than $20, subtract gross income from $20 (the maximum amount which could go to the recipient) and compare the difference to the current contribution by the responsible relative. When the contribution is more than the difference, the recipient receives the difference. When the contribution is less than the difference, the recipient receives an amount equal to the contribution. Attached is a chart explaining this computation.

6. Question - How will a recipient transferring to a new county of residence receive responsible relative information from the previous county?

   Answer - SDX tape will include an "accretion code," in order to identify new recipients in your county. It will be necessary for you to contact these recipients for the following information:

11. Question - When will county responsible relative data be converted to the state program to be implemented July 1, 1974?

   Answer - Detailed instructions will be forthcoming for the conversion of this data to the state program.

Any further questions should be directed to Larry Bernstein at (916) 322-2676.

Sincerely,

DENNIS O. FLATT
Deputy Director
Welfare Program Operations

Attachment

cc: CWDA

a. Previous aid status;

b. Previous county of residence and/or responsibility; and

c. Names and addresses of adult children.

You will then be able to determine whether you need to request records from the previous county pertaining to the recipient's responsible relatives.

7. Question - How will the counties claim reimbursement for administrative costs of the program?

   Answer - The administrative expense claiming procedure provides for reimbursement of the administrative costs of the program.

8. Question - How is liability assessed for persons with net income over $1,150 with 6 or more dependents?

   Answer - For every increment of $25 above $1,200, $5 will be added to the liability.

   Example:

Net Income	Liability
$1151-1175	$0
$1176-1200	$0
$1201-1225	$5
$1226-1250	$10

9. Question - In the case of an aged couple, should the liabilities of their children be based on the total couple SSP amount?

   Answer - Yes. The total couple SSP amount will be used to compute the liabilities for adult children of eligible couples, except in cases where an adult child can show that he has no liability for one of the couple.

10. Question - How is the income disregard payment to the recipients in aged couple cases computed?

    Answer - Aged couples receive only $20 disregard from SSI. Therefore, any income received, regardless of which spouse received it, would be counted against the couple's combined $20.

Computation of Income Exemption
Equivalent Payment

This applies only to those recipients who have responsible relatives who have paid their current liabilities.

Contribution	Income	Amount to Recipient	Total Income Recipient Receives
20	0	20	20
10	8	10	18
5	10	5	15
15	15	5	20
15	0	15	15

Method

1. Subtract income from the $20 maximum amount to recipient.

2. Compare difference to contribution.

3. When the contribution is _more_ than difference, recipient receives amount equal to the difference.

4. When the contribution is _less_ than the difference, the recipient receives the contribution.

5. When the contribution is the _same_ as the difference, that is the amount he receives.

Examples

$20 Maximum amount to recipient
- 8 income
 12 difference
 10 contribution
$10 amount to recipient

$20 Maximum amount to recipient
- 8 income
 12 difference
 15 contribution
$12 amount to recipient